

PROVISO

SUBCOMMITTEE

RECOMMENDATIONS



HEALTH,

HUMAN SERVICES,

AND

MEDICAID

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

SECTION 21 - J02 - DEPARTMENT OF HEALTH AND HUMAN SERVICES

- 21.33** **AMEND** (Upper Payment Limit for Non-State Owned Public Nursing Facilities) Directs the department to prepare and submit a state plan amendment to the Center for Medicare and Medicaid Services by August 1, 2008, to provide Medicaid supplemental payments to non-state owned public nursing facilities who qualify as Essential Public Safety Net providers. Directs that a report on the plan amendment be provided to the House Ways and Means and Senate Finance Committees by August 1st.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "2008" to "2009." *Technical.*

21.33. (DHHS: Upper Payment Limit for Non-State Owned Public Nursing Facilities) The department shall prepare and submit to the Center for Medicare and Medicaid Services no later than August 1, ~~2008~~ *2009*, a state plan amendment to provide Medicaid supplemental payments to non-state owned public nursing facilities who qualify as Essential Public Safety Net providers. The department shall provide a report on the plan amendment to the House of Representatives Ways and Means Committee and the Senate Finance Committee by the aforementioned date.

- 21.mr** **ADD** (Modular Ramps) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to lease modular ramps if they believe demonstrated cost-savings can be realized. Fiscal Impact: No impact on the General Fund.

21.mr. (DHHS: Modular Ramps) The Department of Health and Human Services is authorized to lease modular ramps in the event the department can foresee demonstrated cost-savings to the department.

- 21.mcq** **ADD** (Medicaid Cost and Quality Effectiveness) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to establish a procedure to assess the various forms of managed care (HMOs, Medical Home Networks (MHNs), and any other forms authorized by the department) to measure cost effectiveness and quality and to conduct these measures by December 15th each year. Direct that the Healthcare Effectiveness Data and information Set (HEDIS) be used for quality measurement to be performed by a 3rd party independent actuary. Direct that cost effectiveness be determined in an actuarially sound manner and that data be aggregated in a manner determined by a 3rd party actuary to adequately compare the cost effectiveness of different managed care programs. Require program measures use a case-mix adjustment that encourages managed care organizations to enroll and manage all beneficiaries. Direct the cost effectiveness calculations and quality measures results be made available to the Speaker of the House, Chairman of the Ways and Means Committee, President Pro Tempore of the Senate and Chairman of the Senate Finance Committee no less than 45 days after the measures has been collected. Fiscal Impact: No impact on the General Fund.

21.mcq. (DHHS: Medicaid Cost and Quality Effectiveness) The Department of Health and Human Services shall establish a procedure to assess the various forms of managed care (Health Maintenance Organizations and Medical Home Networks, and any other forms authorized by the department) to measure cost effectiveness and quality. These measures must be conducted by December 15 of each year. The Healthcare Effectiveness Data and Information Set (HEDIS) shall be used for quality measurement to be performed by a third

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

party independent actuary. Cost effectiveness shall be determined in an actuarially sound manner and data must be aggregated in a manner to be determined by a third party actuary in order to adequately compare cost effectiveness of the different managed care programs. The program measures must use a case-mix adjustment that encourages the managed care organizations to enroll and manage all beneficiaries. The results of the cost effectiveness calculations and quality measures must be made available to the Speaker of the House, Chairman of the House Ways and Means Committee, President Pro Tempore of the Senate, and Chairman of the Senate Finance Committee no less than 45 days after the measures have been collected.

- 21.hrg ADD (Hospital Rural Grants) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that Hospital Rural Grants funds be allocated to public hospitals in very rural or rural areas whose largest town is less than 25,000 or a public hospital that is a hospital district; and who is accredited by the Joint Commission on Health Care Organizations or is a Critical Access Hospital, and whose licensed bed capacity does not exceed 150 beds. Direct hospitals qualifying for the grants to use the funds for any of the following purposes: a) development of preventive health programs, medical homes, and primary care diversion from emergency departments; b) expanded health services, including physician recruitment and retention; c) to improve hospital facilities; d) activities involving electronic medical records or claims processing systems; e) to enhance disease prevention activities in diabetes, heart disease, etc; and f) activities to insure compliance with state or federal regulations. Fiscal Impact: No impact on the General Fund. No funds will be appropriated. The agency will use other sources of funding.

21.hrg. (DHHS: Hospital Rural Grants) Hospital Rural Grants funds shall be allocated to public hospitals in very rural or rural areas whose largest town is less than 25,000 or a public hospital that is a hospital district; and who is accredited by the Joint Commission on Health Care Organizations or is a Critical Access Hospital, and whose licensed bed capacity does not exceed 150 beds. Hospitals qualifying for the grants shall utilize such funds for any of the following purposes: a) the development of preventive health programs, medical homes, and primary care diversion from emergency departments; b) expanded health services, including physician recruitment and retention; c) to improve hospital facilities; d) activities involving electronic medical records or claims processing systems; e) to enhance disease prevention activities in diabetes, heart disease, etc; and f) activities to insure compliance with state or federal regulations.

- 21.msr ADD (MUSC Medicaid Services Reimbursement) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to require the department to reimburse MUSC 100% of costs on all Medicaid services they render.

21.msr. (DHHS: MUSC Medicaid Services Reimbursement) The Department of Health and Human Services must reimburse the Medical University of South Carolina 100% of costs on all Medicaid services rendered.

SECTION 22 - J04 - DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

- 22.2 DELETE (County Special Projects)** Allows counties to continue to fund special projects in conjunction with county health departments. Directs that county special project employees' salaries, including merit increases and fringe benefits, shall be totally funded by the county.

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

Directs that county special project employees shall not be under the state compensation plan and directs that they receive their compensation directly from the county.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Most special projects are currently done with contracts or memorandums of agreement between the department and the involved county.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

~~22.2. (DHEC: County Special Projects) Counties may continue to fund special projects in conjunction with the county health departments. Salaries for county special project employees, including merit increases and fringe benefits, shall be totally funded by the counties involved. County special project employees shall not be under the state compensation plan and they shall receive their compensation directly from the counties.~~

- 22.3** **AMEND** (County Health Units) Directs that federal funds made available to the department for county health unit operations shall be allotted on a basis approved by DHEC's Board and directs that Access to Care state funds, except for salary increases, be allocated so that no county budget receives less than they received in the prior fiscal year.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "Federal" to "General" funds, delete the reference to "except for salary increases," and authorize the department to allocated less funds to counties when the B&C Board or General Assembly instructs the department to reduce funds by a certain percentage, by reducing the allocation for county health units up to the stipulated percentage. *Allow for equitable distribution of mandated budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.3. (DHEC: County Health Units) ~~Federal~~ General funds made available to the Department of Health and Environmental Control for the allocation to the counties of the State for operation of county health units be allotted on a basis approved by the Board of the Department of Health and Environmental Control, ~~and the~~ The amount of ~~state~~ general funds appropriated herein for Access to Care, ~~except for salary increases,~~ shall be allocated on a basis such that no county budget shall receive less than the amount received in the prior fiscal year, except when instructed by the Budget and Control Board or the General Assembly to reduce funds within the department by a certain percentage, the department may unilaterally reduce the county health units up to the stipulated percentage.

- 22.4** **AMEND** (Camp Burnt Gin) Directs that private donations or contributions for capital improvements at Camp Burnt Gin be deposited in a restricted account and be carried forward until sufficient funds are available for the improvements. Requires expenditures from the account to be first approved by the B&C Board and JBRC.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete reference to capital improvements and instead direct that private donations or contributions for operation of the camp be deposited in a restricted account. Authorize the funds to be carried forward and made available as needed for camp operations. Direct that withdrawals from the account be made in accordance with approved procedures. Fiscal Impact: No impact on the General Fund.

22.4. (DHEC: Camp Burnt Gin) Private donations or contributions for ~~capital improvements at the operation of~~ Camp Burnt Gin shall be deposited in a restricted account ~~and carried forward until sufficient amounts are available for such improvements.~~ Any

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~expenditures from the account must first be approved by the Budget and Control Board and the Joint Bond Review Committee. *These funds may be carried forward and shall be made available as needed to fund the operation of the camp. Withdrawals from this restricted account must be in accordance with approved procedures.*~~

- 22.6** **AMEND** (Cancer/Hemophilia) Prohibits \$1,021,119 appropriated for prevention, detection, and surveillance of cancer and cancer treatment services and \$1,972,013 appropriated for the hemophilia assistance program from being transferred to other programs within the agency. Provides the manner in which mandated budget reductions may be taken from this item.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “\$1,021,119” to “\$796,503” and “\$1,972,013” to “\$1,538,228.” *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.6. (DHEC: Cancer/Hemophilia) Notwithstanding any other provisions of this act, the funds appropriated herein for prevention, detection and surveillance of cancer as well as providing for cancer treatment services ~~\$1,021,119~~ \$796,503 and the hemophilia assistance program, ~~\$1,972,013~~ \$1,538,228 shall not be transferred to other programs within the agency and when instructed by the Budget and Control Board or the General Assembly to reduce funds within the department by a certain percentage, the department may not act unilaterally to reduce the funds for any cancer treatment program and hemophilia assistance program provided for herein greater than such stipulated percentage.

- 22.10** **AMEND** (Emergency Medical Services) Provides for the allocation of Emergency Medical Services funds to counties to improve and upgrade the EMS system throughout the state. Prohibits \$2,138,803 appropriated for Emergency Medical Services from being transferred to any other program. Authorizes unexpended funds to be carried forward. Provides the manner in which mandated budget reductions may be taken from this item.
PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “\$2,138,803” to “\$1,829,960.” *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.10. (DHEC: Emergency Medical Services) Funds appropriated herein for Emergency Medical Services, shall be allocated for the purpose of improving and upgrading the EMS system throughout the state. The monies allocated to the Counties are for the purpose of improving or upgrading the local EMS system through the licensed ambulance services, the monies allocated to the EMS Regional Councils are for the administration of training programs and technical assistance to local EMS organizations and county systems. All additional funds are to be allocated as follows: to the counties at the ratio of 81% of the additional funds appropriated herein, to the EMS Regions at a ratio of 12% of the additional funds appropriated herein and to the state EMS Office at the ratio of 7% of the additional funds appropriated herein. The Department of Health and Environmental Control shall develop criteria and guidelines and administer the system to make allocations to each region and county within the state, based on demonstrated need and local match. Funds appropriated, ~~\$2,138,803~~ \$1,829,960, to Emergency Medical Services shall not be transferred to other programs within the department’s budget. Unexpended funds appropriated to the program may be carried forward to succeeding fiscal years and expended for administrative and operational support and for temporary and contract employees to assist with duties related to improving and upgrading the EMS system throughout the state, including training of EMS

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

personnel and administration of grants to local EMS providers. In addition, when instructed by the Budget and Control Board or the General Assembly to reduce funds by a certain percentage, the department may not reduce the funds appropriated for EMS Regional Councils or Aid to Counties greater than such stipulated percentage.

- 22.13 AMEND** (Sickle Cell Programs) Directs that \$1,425,000 is appropriated for Sickle Cell program services and directs that 67% of the funds be divided equitably between existing Community Based Sickle Cell Programs in Spartanburg, Columbia, Orangeburg, and Charleston; and 33% of the funds be used for the Community Based Sickle Cell Program at DHEC. Directs that the funds be used for prevention and educational programs, testing, counseling and newborn screening. Provides the manner in which mandated budget reductions may be taken from this item. Prohibits these funds from being transferred for any other purpose.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "\$1,425,000" to "\$1,111,542." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.13. (DHEC: Sickle Cell Programs) ~~\$1,425,000~~ \$1,111,542 is appropriated for Sickle Cell program services and shall be apportioned as follows:

(1) 67% is to be divided equitably between the existing Community Based Sickle Cell Programs located in Spartanburg, Columbia, Orangeburg, and Charleston; and

(2) 33% is for the Community Based Sickle Cell Program at DHEC.

The funds shall be used for providing prevention programs, educational programs, testing, counseling and newborn screening. The balance of the total appropriation must be used for Sickle Cell Services operated by the Independent Living program of DHEC. The funds appropriated to the community based sickle cell centers shall be reduced to reflect any percent reduction assigned to the Department of Health and Environmental Control by the Budget and Control Board; provided, however, that the department may not act unilaterally to reduce the funds for the Sickle Cell program greater than such stipulated percentage. The department shall not be required to undertake any treatment, medical management or health care follow-up for any person with sickle cell disease identified through any neonatal testing program, beyond the level of services supported by funds now or subsequently appropriated for such services. No funds appropriated for ongoing or newly established sickle cell services may be diverted to other budget categories within the DHEC budget.

- 22.14 AMEND** (Genetic Services) Directs that \$194,856 under the Independent Living program is to be used to provide appropriate genetic services to medically needy and underserved persons. Directs that the funds be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from MUSC, USC School of Medicine, and the Greenwood Genetic Center.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "\$194,856" to "\$151,994." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.14. (DHEC: Genetic Services) The sum of ~~\$194,856~~ \$151,994 appearing under the Independent Living program of this act shall be appropriated to and administered by the Department of Health and Environmental Control for the purpose of providing appropriate genetic services to medically needy and underserved persons. Such funds shall be used by the department to administer the program and to contract with appropriate providers of genetic

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

services. Such services will include genetic screening, laboratory testing, counseling, and other services as may be deemed beneficial by the department, and these funds shall be divided equally among the three Regional Genetic Centers of South Carolina, composed of units from the Medical University of South Carolina, the University of South Carolina School of Medicine, and the Greenwood Genetic Center.

- 22.18 DELETE** (Medical & Dental Loan Program) Authorizes unobligated Medical & Dental Loan program funds to be spent for other health service programs.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Loans that were granted have been repaid or closed out. The balance in the account has been zero for a number of years.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.18. (DHEC: Medical & Dental Loan Program) ~~Unobligated funds in the Medical & Dental Loan program may be expended for other health service programs.~~

- 22.41 AMEND** (South Carolina State Trauma Care Fund) Directs that \$4,000,000 of State Trauma Care Fund monies be used to increase the reimbursement rates for trauma hospitals, for trauma specialists' professional fee, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and to support the trauma system. Provides the percentage methodology to be used to disburse the funds.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "\$4,000,000" to "\$3,422,400" and the disbursement to hospitals and trauma physician fees from "77%" to "76.5%" and the change the percentage allocated to the department for administration and trauma system support from "2%" to "2.5%." *Conform to recent budget reductions.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.41. (DHEC: South Carolina State Trauma Care Fund) Of the funds appropriated to the South Carolina State Trauma Care Fund, ~~\$4,000,000~~ \$3,422,400 shall be utilized for increasing the reimbursement rates for trauma hospitals, for trauma specialists' professional fee, for increasing the capability of EMS trauma care providers from counties with a high rate of traumatic injury deaths to care for injury patients, and for support of the trauma system, based on a methodology as determined by the department with guidance and input from the Trauma Council as established in Section 44-61-530 of the South Carolina Code of Laws. The methodology to be developed will include a breakdown of disbursement of funds by percentage, with a proposed ~~77%~~ 76.5% disbursed to hospitals and trauma physician fees, 16% of the 21% must be disbursed to EMS providers for training EMTs, Advanced EMTs and paramedics by the four regional councils of this state and the remaining 5% must be disbursed to EMS providers in counties with high trauma mortality rates, and ~~2%~~ 2.5% allocated to the department for administration of the fund and support of the trauma system. The Department of Health and Environmental Control shall promulgate regulations as required in Section 44-61-540 of the 1976 Code for the administration and oversight of the Trauma Care Fund.

- 22.44 DELETE** (SUPERB Fund) Requires the department to transfer \$2,000,000 on July 1, 2008 from the Superb Financial Responsibility Fund to the Superb account. Directs that if the Superb Financial Responsibility Fund balance becomes less than \$500,000, the department

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

shall monthly transfer \$100,000 of the funds generated by the environmental impact fee from the Superb account until the balance in the Fund reaches \$1,000,000.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The one-time transfer of funds has occurred and the remaining balance is approximately \$20,000. The department states the funds will not retain a \$2 million balance during the next legislative session.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

~~22.44. (DHEC: Superb Fund) On July 1, 2008, the Department of Health and Environmental Control shall transfer \$2,000,000 from the Superb Financial Responsibility Fund to the Superb account. If the balance of the Superb Financial Responsibility Fund becomes less than \$500,000, the department shall transfer on a monthly basis \$100,000 of the funds generated by the environmental impact fee from the Superb account to the Superb Financial Responsibility Fund until the balance of the Superb Financial Responsibility Fund reaches \$1,000,000.~~

- 22.46** **AMEND** (Pharmacist Permits) Suspends DHEC from provisions relating to requirements that all department facilities that distribute or dispense prescription drugs must be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist in charge. Requires each DHEC Health District to have a permit to distribute or dispense prescription drugs. Allows a department pharmacist to serve as the pharmacist-in-charge without being physically present in the pharmacy and allow the department to designate that a pharmacist-in-charge may serve more than one health district. Directs that only pharmacists, nurses, or physicians may dispense hormonal medication, antibiotics for tuberculosis, and antibiotics for sexually transmitted diseases at department facilities. Directs that other medications could be dispensed as necessary in the event of a public health emergency or if the strategic national stockpile is activated.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change reference to a "district" to "region." Direct that only pharmacists, nurses, or physicians are allowed to dispense "and provide prescription drugs/products/vaccines" at department facilities for "Family Planning," TB, sexually transmitted diseases, "immunization, hemophilia, or HIV/AIDS. *Correctly lists the drugs distributed.* Fiscal Impact: No impact on the General Fund. Requested by Department of Health and Environmental Control.

22.46. (DHEC: Pharmacist Permits) For the current fiscal year, provisions requiring that all department facilities distributing or dispensing prescription drugs be permitted by the Board of Pharmacy and that each pharmacy have a pharmacist-in-charge are suspended. Each Department of Health and Environmental Control Public Health District Region shall be required to have a permit to distribute or dispense prescription drugs. A department pharmacist may serve as the pharmacist-in-charge without being physically present in the pharmacy. The department is authorized to designate one pharmacist-in-charge to serve more than one health district region. Only pharmacists, nurses, or physicians are allowed to dispense and provide the following medications prescription drugs/products/vaccines at department facilities: ~~hormonal medications, antibiotics for~~ Family Planning, tuberculosis, ~~and antibiotics for sexually transmitted diseases, immunizations, hemophilia, or HIV/AIDS.~~ In the event of a public health emergency or upon activation of the strategic national stockpile, other medications ~~could~~ may be dispensed as necessary.

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

- 22.brf ADD (Beach Renourishment Carry Forward) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to use \$240,000 of carried forward beach renourishment funds to reduce the impact of the Office of Ocean and Coastal Resource Management's budget reduction. Fiscal Impact: No impact on the General Fund. Directs that \$240,000 of carry forward funds be used.

22.brf. (DHEC: Beach Renourishment Carry Forward) Of the funds carried forward by the department for beach renourishment, the department is authorized to utilize up to \$240,000 to reduce the impact of budget reductions to the Office of Ocean and Coastal Resource Management.

- 22.bwq ADD (Bluffton Water Quality Monitoring) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct the department to allocate \$15,000 from the Beach Renourishment Fund to the town of Bluffton for water quality monitoring. Fiscal Impact: No impact on the General Fund.

22.bwq. (DHEC: Bluffton Water Quality Monitoring) The department shall allocate \$15,000 from the Beach Renourishment Fund to the town of Bluffton for water quality monitoring.

- 22.cz ADD (Coastal Zone Appellate Panel) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to direct that the Coastal Zone Appellate Panel as established by Section 48-39-40 [CREATION OF COASTAL ZONE MANAGEMENT APPELLATE PANEL; MEMBERS; TERMS OF OFFICE] under DHEC shall be disbanded and removed from operation. Fiscal Impact: No impact on the General Fund.

22.cz. (DHEC: Coastal Zone Appellate Panel) The Coastal Zone Appellate Panel as delineated in Section 48-39-40 of the 1976 Code under the Department of Health and Environmental Control shall be disbanded and removed from operation.

SECTION 23 - J12 - DEPARTMENT OF MENTAL HEALTH

- 23.upm ADD (Uncompensated Patient Medical Care) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to create an Uncompensated Patient Care Fund and direct that the department use the fund for medical costs incurred for patients that must be transferred to a private hospital for services. Authorize the funds to be carried forward and used for the same purpose. Fiscal Impact: No additional funds will be appropriated.

23.upm. (DMH: Uncompensated Patient Medical Care) There is created an Uncompensated Patient Care Fund to be used by the department for medical costs incurred for patients that must be transferred to a private hospital for services. These funds may be carried forward from the prior fiscal year into the current fiscal year to be used for the same purpose.

SECTION 24 - J16 - DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS

- 24.mr ADD (Modular Ramps) PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to lease modular ramps if they believe demonstrated cost-savings can be realized. Fiscal Impact: No impact on the General Fund.

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

24.mr. (DDSN: Modular Ramps) The Department of Disabilities and Special Needs is authorized to lease modular ramps in the event the department can foresee demonstrated cost-savings to the department.

- 24.sc** **ADD** (Summer Camps) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to prohibit the department from removing any summer camps under their purview due to budget reductions. Fiscal Impact: No impact on the General Fund.

24.sc. (DDSN: Summer Camps) The Department of Disabilities and Special Needs cannot remove any summer camps under their purview due to reductions in their budget.

SECTION 26 - L04 - DEPARTMENT OF SOCIAL SERVICES

- 26.24** **DELETE** (Unexpended Funds) Authorize unexpended funds appropriated by proviso 73.12 of Act 117 of 2007 [APPROPRIATION ACT] to be carried forward and used for Child Care Vouchers.

PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso. Fiscal Impact: No impact on the General Fund.

~~26.24. (DSS: Unexpended Funds) Unexpended funds appropriated by proviso 73.12 of Act 117 of 2007 to the Department of Social Services may be carried forward to the current fiscal year and expended for Child Care Vouchers.~~

- 26.26** **AMEND** (Teen Pregnancy Prevention) Directs DSS to use the funds appropriated for the Continuation of Teen Pregnancy Prevention to award two contracts to separate private entities to provide teen pregnancy prevention programs and services and direct that the funds be divided equally between the contracts. Allows entities with a proven public history of effectively implementing abstinence programs in the state to be given preference during evaluation and awarding process. Requires one contract be awarded to an entity that uses an abstinence first, age appropriate comprehensive approach to health and sex education with a goal of preventing adolescent pregnancy and one contract be awarded to an entity that has used a National Abstinence Clearinghouse approved curricula for a minimum of one year prior to their application. Directs that a five member committee oversee the contract award process; that the first meeting be on or before August 1, 2008; and that the committee be composed as follows: two members appointed by the President Pro Tempore of the Senate, two members appointed by the Speaker of the House and one member appointed by the Governor.

PROVISO SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change "2008" to "2009. Fiscal Impact: No impact on the General Fund.

26.26. (DSS: Teen Pregnancy Prevention) From the monies appropriated for the Continuation of Teen Pregnancy Prevention, the department must award two contracts to separate private entities to provide teen pregnancy prevention programs and services within the State. The monies appropriated must be divided equally between the contracts. Entities that have a proven and public history of having effectively implemented abstinence programs in this State may be given a preference during the contract evaluation and awarding process. One contract must be awarded to an entity that utilizes an abstinence first, age appropriate comprehensive approach to health and sexuality education with a goal of preventing adolescent pregnancy throughout South Carolina. One contract must be awarded to an entity

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

that uses a National Abstinence Clearinghouse (NAC) approved curricula for a minimum of one year prior to their application. NAC is the agency the federal Department of Health and Human Services has chosen to provide a comprehensive, national list of approved abstinence-only education curricula that is consistent with the A through H legislative requirements defined in Title V, Section 510(b)(2). A five-member committee shall oversee the contract award process. The committee's first meeting shall be on or before August 1, 2008 2009. The five member committee shall be composed as follows: the President Pro Tempore of the Senate shall appoint two members of the committee, the Speaker of the House shall appoint two members of the committee and the Governor shall appoint one member of the committee.

- 26.meo** **ADD** (Meals in Emergency Operations) **PROVISO SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize the department to provide the cost of meals to state employees who are not permitted to leave their stations and who are required to work during actual emergency, emergency situation exercises, and when the Governor declares a state of emergency. Fiscal Impact: No impact on the General Fund.

26.meo. (DSS: Meals in Emergency Operations) The cost of meals may be provided to state employees who are not permitted to leave their stations and are required to work during actual emergencies, emergency situation exercises, and when the Governor declares a state of emergency.

SECTION 90 - X91 - STATEWIDE REVENUE

- 90.8** **DELETE** (Health and Human Services Funding) Directs \$98,467,983 of Department of Health and Human Services general fund appropriations, carry forward funds, and earmarked and restricted accounts be disbursed for specified purposes. Directs that \$7,000,000 for Disproportionate Share be transferred to MUSC Hospital Authority and that \$600,000 of these funds be transferred to the Cancer Center. Prohibits the Department of Health and Human Services from using CHIPS FY 07-08 carry forward funds or FY 08-09 recurring appropriations to fund any of the allocations contained in this provision.
PROVISO SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~90.8. (SR: Health and Human Services Funding) The source of funds appropriated in this provision is \$98,467,983 of Department of Health and Human Services general fund appropriations, carry forward funds and earmarked and restricted special revenue fund accounts.~~

~~Of these funds, the department is directed to disburse the following Department of Health and Human Services appropriations for the purposes stated:~~

| | |
|---|----------------------------|
| A. Medicaid Maintenance of Effort | \$ 29,000,000; |
| B. Institutes for Mental Disease Transition | \$ 13,000,000; |
| C. 300 Slots for Community Choices Waiver | \$ 1,250,000; |
| D. Personal Care III & Attendant II Rate Increases | \$ 500,000; |
| E. Rural Hospital Grants | \$ 3,000,000; |
| F. Federally Qualified Community Health Centers | \$ 700,000; and |
| G. MUSC Disproportionate Share | \$ 7,000,000. |

~~The \$7,000,000 appropriated for Disproportionate Share directed to the Department of Health and Human Services on behalf of the Medical University of South Carolina Hospital Authority under Title 59, Section 59-123-60(I) shall be transferred to the Medical University Hospital Authority within the first quarter of the state fiscal year. Of these funds \$600,000~~

**PROVISO SUBCOMMITTEE
HEALTH, HUMAN SERVICES AND MEDICAID
RECOMMENDATIONS FOR FY 2009-10
TO THE HOUSE WAYS AND MEANS COMMITTEE**

~~shall be transferred to the Cancer Center for screening, prevention, and research. The remaining funds shall initially be used as match funds for the hospital's disproportionate share and other Medicaid reimbursement programs as prescribed under paragraph (I).~~

~~Of these funds the department is further directed to transfer the following amounts to the specified agencies for the purposes stated:~~

- ~~A. Department of Health and Environmental Control
 - (1) AIDS Drug Assistance Program.....\$ 2,400,000;
 - (2) SUPERB Fund.....\$ 2,000,000;
 - (3) Best Chance Network.....\$ 2,000,000;
 - (4) Colorectal Cancer Screening.....\$ 1,000,000;
 - (5) Vaccine Purchases for Under-Insured Children & Adolescents.....\$ 2,397,192;~~
- ~~B. Department of Mental Health
 - Maintenance of Effort Base Program/
Service Maintenance.....\$ 5,358,317;~~
- ~~C. Department of Disabilities and Special Needs
 - (1) Rehabilitation Services.....\$ 2,253,000;
 - (2) Pervasive Developmental Disorder Waiver.....\$ 4,500,000;
 - (3) Community Support.....\$ 3,000,000;
 - (4) Greenwood Genetics Center.....\$ 3,500,000;~~
- ~~D. Vocational Rehabilitation
 - Transportation Services.....\$ 250,000;~~
- ~~E. Department of Alcohol and Other Drug Abuse Services
 - (1) Alcohol Enforcement Teams.....\$ 1,000,000;
 - (2) State Block Grants.....\$ 500,000;~~
- ~~F. Department of Social Services
 - (1) Child Support Enforcement System.....\$ 9,000,000;
 - (2) Annualization of Recurring Services
 - (a) Adoption Subsidy.....\$ 2,000,000;
 - (b) Child Care Vouchers.....\$ 2,609,474;~~
- ~~G. School for the Deaf and the Blind
 - Classroom Refurbishing and Equipment.....\$ 150,000; and~~
- ~~H. Governor's Office of Executive Policy and Programs
 - Children's Trust Fund.....\$ 100,000.~~

~~The department is prohibited from using Fiscal Year 2007-08 carry forward funds attributable to the Children's Health Insurance Program or Fiscal Year 2008-09 recurring appropriations for the Children's Health Insurance Program to fund any of the allocations contained in this provision.~~